

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.9409 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.4 in not registering the petitioner's complaint dated 05.11.2018 and not taking action on the representation dated 23.03.2019 addressed to respondent No.3, as illegal, arbitrary, unconstitutional and against the principles of natural justice and consequently, to direct respondent No.3 to give appropriate police protection to the petitioner.

2. Heard the learned counsel for the petitioner, the learned Government Pleader for Home, appearing for respondent Nos.1 to 4 and perused the record.

3. Learned counsel for the petitioner would contend that the petitioner and respondent Nos.5 to 7 are brothers. The petitioner purchased the following immovable properties in the name of his father-N.Satyanarayana, the details of which are as under:-

1. House No.13-6-421/A/64, admeasuring 230 square yards situated at Kanaka Durga colony, Ring Road, Hyderabad.
2. Shop No.G-10, admeasuring 225 square feet situated at Ground floor, VCR towers, Feelkhana, Begum Bazar, Hyderabad.

The grievance of the petitioner is that respondent Nos.5 to 7 have interfered with the property in his possession, abused and beat him. Though the petitioner lodged a complaint dated 05.11.2018 with the police and thereafter made a representation dated 23.03.2019, no action has been taken so far.

4. It appears from the record that the brothers of the petitioner raised some disputes with regard to the subject property. If no action is taken on the complaint dated 05.11.2018 of the petitioner and on his subsequent representation dated 23.03.2019 in which there is specific mention of cognizable offences, he has an efficacious remedy available to file a private complaint under Section 200 Cr.P.C.

5. Under these circumstances, it is left open to the petitioner to work out his remedies available before the competent criminal Court.

6. With the above observation, the Writ Petition is disposed of at the stage of admission.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 29.04.2019
ssp